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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rabbani et al. )  
Serial No. 08/978,635 ) Group Art Unit: 1636  
Filed: November 25, 1997 ) Examiner: Konstantina T. Katcheves  
Title: PROCESS FOR SELECTIVE )  
EXPRESSION OF NUCLEIC ACID )  
PRODUCTS )

10/26/2004 HAL111 00000068 051135 08978635

01 FC:2453 685.00 DA

527 Madison Avenue, 9th Floor  
New York, New York 10022-4304  
October 20, 2004**FILED BY EXPRESS MAIL**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. §1.137(b) TO REVIVE  
AN UNINTENTIONALLY ABANDONED APPLICATION**

Dear Sirs:

Applicants submit this Petition to the Commissioner under the provisions of 37 C.F.R. §1.137(b) to revive the above-identified application in which the filing of a response by applicant to an outstanding office action was unintentionally delayed.

An Office Action issued on March 12, 2004. A response was due on September 12, 2004. The above-identified application became unintentionally abandoned on September 13, 2004, which was the day after the date on which the set statutory period for a response, including any extensions under 37 CFR 1.136, expired. A Notice of Abandonment was mailed on September 22, 2004, a copy of which is attached herein as Exhibit 1.

10/26/2004 HAL111 00000012 051135 09978635

01 FC:2453 685.00 DA

Enz-53(D4)

Void date: 10/26/2004 HAL111 00000012 051135 09978635  
10/26/2004 HAL111 00000012 051135 685.00 CR  
01 FC:2453

It is hereby requested that this application be revived because the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. 1.137(b) was unintentional.

Since this petition is being filed within two months of the mail date of a Notice of Abandonment dated September 22, 2004, no terminal disclaimer is required. A response to the March 12, 2004 Office Action in the form of an Amendment under 37 C.F.R. § 1.115 is being submitted concurrently herewith and is attached as Exhibit 2.

Under 37 C.F.R. § 1.117(m), the small entity fee for the filing of this Petition to Revive an Unintentionally Abandoned Application is \$685.00. Small entity status was previously established in this application and is still applicable. The United States Patent and Trademark Office ("USPTO") is hereby authorized to charge Deposit Account No. 05-1135 for the requisite fee of \$685.00. The USPTO is further authorized to charge any other fees required in connection with this Petition and the attached Amendment, or to credit any overpayment thereto.

Favorable action on this Petition is earnestly solicited.

Respectfully submitted,



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